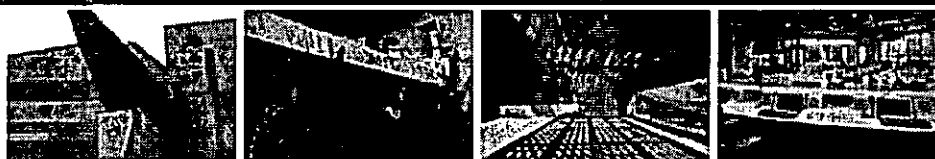


A U S T I N C I T Y C O U N C I L

AGENDA



Thursday, October 05, 2006

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Public Hearings and Possible Actions
RECOMMENDATION FOR COUNCIL ACTION
ITEM No. 52

Subject: Conduct a public hearing and approve an ordinance amending Section 25-2-766.04(A) and Chapter 25-2, Appendix D of the City Code to establish Highland Mall and South IH-35 TOD districts.

For More Information: Sonya Lopez, 974-7694.

Boards and Commission Action: (Recommended by Planning Commission.)

Prior Council Action: 7/29/04 - Council directed the City Manager to begin the public process of developing a transit oriented development ordinance. 5/19/05 - Council approved an ordinance establishing Transit Oriented Development Districts and adopted zoning and other regulations applicable in those districts, and established goals for affordable housing in Transit Oriented Development (TOD) districts and Station Area Plans. 3/9/06 - Council approved an ordinance to place cases within Transit-Oriented Development (TOD) districts under the purview of the Planning Commission, and established an Oak Hill TOD District.

Additional Backup Material

(click to open)

Ordinance

The Neighborhood Planning and Zoning Department is requesting approval of the proposed amendment to allow the City to proceed with station area planning activities around two planned Capital Metro transit facilities. The Highland Mall TOD will be established around a future commuter rail stop situated near the intersection of Airport Blvd. and Highland Mall Blvd. The South IH-35 TOD will be established around a future rapid bus park-n-ride just north of the intersection of S. Congress Ave. and IH-35 (north or Slaughter Lane). Both are proposed as Town Center TODs and are recommended for addition to the TOD section of the Code without boundaries, with the rationale explained below.

Highland Mall TOD The proposal does not include district boundaries since Highland Mall itself would encompass a significant portion of the district, and the interim development regulations (that would apply if boundaries were designated at this point) would not be logical for the existing development. Highland Mall was developed in a typical suburban mall fashion; it is an enclosed, unified structure with many different building sections situated in the middle of a lot with parking surrounding it. Under the interim regulations of the TOD ordinance, if the mall needed to expand or modify its existing structure, it would be required to build with a maximum fifteen-foot front and side street setback with specific parking placement standards. These standards were clearly not anticipated for a site like Highland Mall. Given this, and since the land adjacent to the future commuter rail stop is largely developed and there has been no indication of redevelopment in the near future, staff recommends that the TOD boundary be officially demarcated during the station area planning process, when development standards/regulations can be crafted that are appropriate and considerate of the existing conditions on this specific site.

South IH-35 TOD The proposal does not include district boundaries for the same reason as the Highland Mall TOD. Capital Metro is the process of requesting new zoning (LI-PDA) for the property on which the Park-N-Ride will be located so that they can proceed with the development of this transit facility. The interim development regulations that relate to setbacks and parking in the TOD section of the Code that would apply if a TOD boundary were

established, would not allow them to develop the Park-N-Ride as planned. Again, at the station area planning stage, boundaries, scale zones, regulations, and standards can be established for this district that take into account the fact that there is a Park-N-Ride adjacent to the transit stop.

The Planning Commission heard this case on September 26, 2006 and recommended unanimously that these two districts be added to the TOD section of the Code without boundaries.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 25-2-766.04 AND CHAPTER 25-2, APPENDIX D OF THE CITY CODE TO ESTABLISH HIGHLAND MALL AND SOUTH IH-35 PARK AND RIDE TRANSIT ORIENTED DISTRICTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Section 25-2-766.04(A) (*Transit Oriented Development Districts Established And Classified*) of the City Code is amended to add Paragraphs (8) and (9) to read:

(8) The Highland Mall TOD district is established as a town center TOD district.

(9) The South IH-35 Park and Ride TOD district is established as a town center TOD district.

PART 2. Chapter 25-2, Appendix D (*Transit Oriented District Boundaries And Zones*) of the City Code is amended to add Exhibits 8 and 9 to read as follows:

Exhibit 8

Highland Mall TOD District Boundaries And Zones

The boundaries and zones of the Highland Mall TOD district have not been established. The boundaries and zones of the TOD district are to be determined during the preparation of the station area plan and established by council.

Exhibit 9

South IH-35 Park And Ride TOD District Boundaries And Zones

The boundaries and zones of the South IH-35 Park and Ride TOD district have not been established. The boundaries and zones of the TOD district are to be determined during the preparation of the station area plan and established by council.

1 **PART 3.** This ordinance takes effect on _____, 2006.

2 **PASSED AND APPROVED**

3
4 §
5 §
6 _____, 2006 §

7 Will Wynn
8 Mayor

9
10
11 **APPROVED:** _____
12 David Allan Smith
13 City Attorney
14

ATTEST: _____
Shirley A. Gentry
City Clerk